

Applicant provisionally elects the species shown in Example 1, specifically, 3-(4-piperazinophenyl)-5-((N-methyl-N-(2-pyridinyl)amino)carbamoylamino)indeno[1,2-c]pyrazol-4-one. The restriction requirement, however, is respectfully traversed and reconsideration is requested in view of the following remarks.

According to MPEP §803, a restriction is proper only if the claims are able to support separate patents and they are either independent or distinct (806.05-806.05(g)). However, section 803 also states that even if distinct or independent claims exist, examination on the merits is required providing the search can be made without serious burden.

Accordingly, where an application includes only generic claims and no species claims, as in the present application, a restriction is not proper, unless the "generic claims recite such a multiplicity of species that an unduly extensive and burdensome search is necessary." This is pointed out in MPEP §809.02(d).

Because only generic claims are currently present and they do not represent an unduly extensive and burdensome search, withdrawal of the species requirement is respectfully requested.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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